

1 AMENDMENT TO HOUSE BILL 494

2 AMENDMENT NO. _____. Amend House Bill 494 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Plat Act is amended by changing Section
5 1 as follows:

6 (765 ILCS 205/1) (from Ch. 109, par. 1)

7 Sec. 1. (a) Except as otherwise provided in
8 subparagraph (b) of this Section whenever the owner of land
9 subdivides it into 2 or more parts, any of which is less than
10 5 acres, he must have it surveyed and a subdivision plat
11 thereof made by an Illinois Registered Land Surveyor, which
12 plat must particularly describe and set forth all public
13 streets, alleys, ways for public service facilities, ways for
14 utility services and community antenna television systems,
15 parks, playgrounds, school grounds or other public grounds,
16 and all the tracts, parcels, lots or blocks, and numbering
17 all such lots, blocks or parcels by progressive numbers,
18 giving their precise dimensions. There shall be submitted
19 simultaneously with the subdivision plat, a study or studies
20 which shall show topographically and by profile the elevation
21 of the land prior to the commencement of any change in
22 elevations as a part of any phase of subdividing, and

1 additionally, if it is contemplated that such elevations, or
2 the flow of surface water from such land, will be changed as
3 a result of any portion of such subdivision development, then
4 such study or studies shall also show such proposed changes
5 in the elevations and the flow of surface water from such
6 land. The topographical and profile studies required
7 hereunder may be prepared as a subsidiary study or studies
8 separate from, but of the same scale and size as the
9 subdivision plat, and shall be prepared in such a manner as
10 will permit the topographical study or studies to be used as
11 overlays to the subdivision plat. The plat must show all
12 angular and linear data along the exterior boundaries of the
13 tract of land divided or subdivided, the names of all public
14 streets and the width, course and extent of all public
15 streets, alleys and ways for public service facilities.
16 References must also be made upon the plat to known and
17 permanent monuments from which future survey may be made and
18 the surveyor must, at the time of making his survey, set in
19 such manner that they will not be moved by frost, good and
20 sufficient monuments marking the external boundaries of the
21 tract to be divided or subdivided and must designate upon the
22 plat the points where they may be found. These monuments must
23 be placed at all corners, at each end of all curves, at the
24 point where a curve changes its radius, at all angle points
25 in any line and at all angle points along a meander line, the
26 points to be not less than 20 feet back from the normal water
27 elevation of a lake or from the bank of a stream, except that
28 when such corners or points fall within a street, or proposed
29 future street, the monuments must be placed in the right of
30 way line of the street. All internal boundaries, corners and
31 points must be monumented in the field by like monuments as
32 defined above. The county in which the land is located may
33 require that the surveyor provide geodetic survey horizontal
34 control values for a minimum of 2 opposing corners of the

1 subdivision that are permanently monumented. Horizontal
2 control values must be provided in the Illinois State Plane
3 Coordinate System in the zone as defined by each county and
4 referenced on the plat. Each county may specify levels of
5 positional accuracy for the horizontal control values of the
6 subdivision corners to be measured by the surveyor; State
7 standards, when developed, shall determine those levels of
8 accuracy. The county may also require vertical control values
9 referenced to a statewide datum for a minimum of 2 opposing
10 corners of the subdivision that are permanently monumented.

11 These monuments 2 of which must be of stone or reinforced
12 concrete and must be set at the opposite extremities of the
13 property platted, placed at all block corners, at each end of
14 all curves, at the points where a curve changes its radius,
15 and at all angle points in any line. All lots must be
16 monumented in the field with 2 or more monuments.

17 The monuments must be furnished by the person for whom
18 the survey is made and must be such that they will not be
19 moved by frost. If any city, village or town has adopted an
20 official plan, or part thereof, in the manner prescribed by
21 law, the plat of land situated within the area affected
22 thereby must conform to the official plan, or part thereof.

23 (b) Except as provided in subsection (c) of this
24 Section, the provisions of this Act do not apply and no
25 subdivision plat is required in any of the following
26 instances:

27 1. The division or subdivision of land into parcels
28 or tracts of 5 acres or more in size which does not
29 involve any new streets or easements of access.†

30 2. The division of lots or blocks of less than 1
31 acre in any recorded subdivision which does not involve
32 any new streets or easements of access.†

33 3. The sale or exchange of parcels of land between
34 owners of adjoining and contiguous land.†

1 4. The conveyance of parcels of land or interests
2 therein for use as a right of way for railroads or other
3 public utility facilities and other pipe lines which does
4 not involve any new streets or easements of access.†

5 5. The conveyance of land owned by a railroad or
6 other public utility which does not involve any new
7 streets or easements of access.†

8 6. The conveyance of land for highway or other
9 public purposes or grants or conveyances relating to the
10 dedication of land for public use or instruments relating
11 to the vacation of land impressed with a public use.†

12 7. Conveyances made to correct descriptions in
13 prior conveyances.

14 8. The sale or exchange of parcels or tracts of
15 land following the division into no more than 2 parts of
16 a particular parcel or tract of land existing on July 17,
17 1959 and not involving any new streets or easements of
18 access.

19 9. The sale of a single lot of less than 5 acres
20 from a larger tract when a survey is made by an Illinois
21 Registered Land Surveyor; provided, that this exemption
22 shall not apply to the sale of any subsequent lots from
23 the same larger tract of land, as determined by the
24 dimensions and configuration of the larger tract on
25 October 1, 1973, and provided also that this exemption
26 does not invalidate any local requirements applicable to
27 the subdivision of land.

28 Nothing contained within the provisions of this Act shall
29 prevent or preclude individual counties from establishing
30 standards, ordinances, or specifications which reduce the
31 acreage minimum to less than 5 acres, but not less than 2
32 acres, or supplementing the requirements contained herein
33 when a survey is made by an Illinois Registered Land Surveyor
34 and a plat thereof is recorded, under powers granted to them.

1 (c) However, if a plat is made by an Illinois Registered
2 Surveyor of any parcel or tract of land otherwise exempt from
3 the plat provisions of this Act pursuant to subsection (b) of
4 this Section, such plat shall be recorded. It shall not be
5 the responsibility of a recorder of deeds to determine
6 whether the plat has been made or recorded under this
7 subsection (c) prior to accepting a deed for recording.
8 (Source: P.A. 84-373.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law."